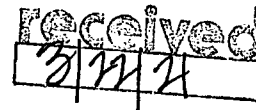


ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD  
1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007  
PHONE (602) 364-1PET (1738) FAX (602) 364-1039  
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COMPLAINT INVESTIGATION FORM

*If there is an issue with more than one veterinarian please file a  
separate Complaint Investigation Form for each veterinarian*

PLEASE PRINT OR TYPE

**FOR OFFICE USE ONLY**

Date Received: March 22, 2021

Case Number: 21-111

**A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:**

Name of Veterinarian/CVT: Monica Brown

Premise Name: Fetch a Vet

Premise Address: 10839 West Harmony Lane

City: Sun City State: AZ Zip Code: 85373

Telephone: (623) 910-2709

**B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT\*:**

Name: Erin McManis and Chad Schatz

Address: [redacted]

City: [redacted] State: [redacted] Zip Code: [redacted]

Home Telephone: [redacted] Cell Telephone: [redacted]

\*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL  
RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE  
REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE  
COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

**C. PATIENT INFORMATION (1):**

Name: Jameson

Breed/Species: Beagle

Age: 4 Sex: Male Color: Tri

**PATIENT INFORMATION (2):**

Name: \_\_\_\_\_

Breed/Species: \_\_\_\_\_

Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Color: \_\_\_\_\_

**D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:**

*Please provide the name, address and phone number for each veterinarian.*

\* Dr. Brown (above)

\* Canyon Animal Hospital - Drs. Kelly and Lori Hehn-15411 N 31st St. Phoenix, AZ 85032, 602-971-9651

\* Laveen Veterinary Center. Dr. Evan Ware - 3536 W Baseline Rd #128, Laveen Village, AZ 85339, (602) 559-9600

**E. WITNESS INFORMATION:**

*Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.*

Jameson was initially brought to the Arizona Humane Society but i do not have specific information regarding who may have seen Jameson there.

**Attestation of Person Requesting Investigation**

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: Erin McManis

Date: 3.19.21

**F. ALLEGATIONS and/or CONCERNS:**

*Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.*

Please see additional pages

## **I. Introduction**

By way of introduction, my name is Erin McManis and I'm filing this Complaint jointly with my husband, Chad Schatz. We started fostering Jameson/Jamie (formerly known as Remmy) in January 2020, when he weighed 100 pounds, through Arizona Beagle Rescue (the "Rescue"). At the time of this Complaint, he is still under our care as a foster dog with the Rescue. However, we are submitting this Complaint as individuals, and not in conjunction with the Rescue (in fact due to COVID I do not believe anyone on the Rescue's Board of Directors has met Jameson). Jameson was our foster until January 16 2021, and at that time he weighed 44 pounds on our scale. While Jamie is a beagle, he might have a little bit of basset hound in him, or he is just a large beagle and the vet said 44 pounds is an ideal weight for him. Jameson is no longer under our care, as once he reached his goal weight he went to another foster family while he is waiting for his forever home (we are now helping another overweight beagle). I say this in full disclosure because although this Complaint relates to the abuse I believe he suffered as a result of his obesity, he will never be a 25 pound beagle. Our current vet believes if he gets to 40 pounds he will be at his goal weight.

Jameson's former owner was a resident at Beatitudes (a senior living facility) and Jameson was under Dr. Brown's care for approximately 20 months, which resulted in six veterinary visits (per the records) where Dr. Brown's records show that Jamie went from 54 pounds to 102 pounds.

I am submitting this Complaint due to Dr. Brown's unprofessional/dishonorable conduct (specifically, one area that I believe is in violation is Dr. Brown's failure to report Jamie's abuse/neglect). Additionally, I am bringing this Complaint to report Dr. Brown's unprofessional/dishonorable conduct due to the false advertisements that are on her website for the purposes of deception.

Also, in accordance with the suggestion on your website, I tried to resolve this with Dr. Brown first. She initially responded when I said I was fostering Jamie, but any and all subsequent messages inquiring about why the abuse/neglect went unreported have gone unanswered by Dr. Brown.

## **II. Jamie's physical condition when he came to live with us**

When Jamie came to live with us in January 2020 (it should be noted that the last time Dr. Brown saw Jamie was also in January of 2020) he could only walk a few steps before he would fall over. Jameson could not even stand to go to the bathroom and I would find him sitting in his own urine. Jamie's paws were very badly infected and his neck was rubbed raw from his collar. He was also 100 pounds—obviously the stress that was putting on his heart put him in imminent danger. Being that obese also put strain on his joints. In fact, Jamie limped badly on one leg (for lack of better word, I'll refer to this as his "good leg"). The vet we took Jamie to through the Rescue initially thought his leg would improve once he lost weight so we were monitoring it. However, over Easter weekend in 2020, Jamie pulled on his leash and hurt his other leg "the bad leg." We subsequently had his legs x-rayed and the knee on the good leg was partially torn and the bad leg was completely torn. The good leg was already partially torn when he came to live here in January because he was badly limping on that leg but it was initially thought it would get better when he lost weight (again Jamie came to live with us just a few weeks after the last time Dr. Brown saw him). In 2020 both legs became torn as a result of his obesity, as he has no other underlying conditions that would cause his knees to tear (and at the time Jamie was only three years old).

Ultimately, Jamie had two TPLO surgeries on his knees, and both surgeries were successes. Jamie went from hardly being able to walk in January 2020 (and falling over in his own urine), to entering 5k walks in 2021. To clarify, Jamie currently goes to Canyon Animal Hospital for everyday needs, and Laveen Veterinary Center was the clinic that performed both knee surgeries on him, and both surgeries were successful.

### **III. Duty to Report Suspected Cases of Abuse and Neglect**

My husband and I are both lawyers actively licensed to practice in Arizona, so I'm well aware of Arizona's standards for animal cruelty. I'm also well aware of a veterinarian's mandatory duty to report suspected cases of abuse or neglect. Obviously, you are also well aware of these requirements, so the specific statutes don't need to be discussed in great detail.

I am also aware after hearing different perspectives from various people and veterinarians, that the mandatory reporting requirement is not particularly popular in some veterinary circles. I do understand it can be a complicated issue (if the vet reports does report does the dog go into a worse environment, does the owner seek medical care in the future, will law enforcement even do something?). Those issues I mentioned may be the more altruistic reasons a vet doesn't report. A veterinarian's duty to report is different from a teacher's mandatory duty to report in that presumably a teacher doesn't directly profit off of having a student in a classroom. A veterinarian does profit off of having a returning Client/patient.

I'm sure there are other reasons why a veterinarian's duty to report can become complicated; however, what is not complicated is that there is a mandatory duty. There are no exceptions. There are no carve outs that say 'the owner is trying.' Ultimately, the investigation is up to law enforcement, but a vet has a duty to report.

#### *32-2239. Duty of veterinarian to report suspected abuse, cruelty, neglect or animal fighting; immunity*

*A. A veterinarian who reasonably suspects or believes that an animal has been a victim of abuse, cruelty or neglect or has been involved in animal fighting shall report that suspicion, or cause a report to be made, to law enforcement within forty-eight hours after treatment or examination. The report shall include the breed and description of the animal and the name and address of the owner or person who sought the examination or treatment. Veterinary records shall be provided to local law enforcement on request in furtherance of any criminal investigation for abuse, cruelty, neglect or animal fighting.*

Ultimately, I don't believe any good faith effort was made on the part of the owner to comply or help Jamie lose weight as this was an ongoing issue. The owner was in an assistive living facility and regularly disclosed to Dr. Brown that she fed Jamie human food such as ice cream and cheeseburgers (once she even said this was done on a daily basis). The notes from Dr. Brown does show that she counseled the owner on getting him to lose weight. However, at some point between 54 pounds and 102 pounds, Dr. Brown should have realized her suggestions were not working. Also, it does not matter pursuant to Statute if the owner is even trying to do better. This is like a doctor telling a parent "next time you are angry it would be best not to beat your child" While that would certainly be good if the parent no longer beats the child, the parent was nonetheless abusing the kid and the doctor has a duty to report.

Ultimately, when Dr. Brown last saw him Jamie, he could hardly move as indicated in the vet notes (let alone likely had a torn knee). While I would argue Jamie's condition is animal cruelty in that his care

resulted in cruel mistreatment, but literally we are dealing with a 100 pound beagle that cannot walk. At a minimum this is certainly neglect.

If Dr. Brown had just reported the case as was legally required, perhaps nothing would have happened, but she would have met her legal obligation. Ultimately, as veterinarians or ordinary citizens we have zero control over what cases law enforcement pursues. On the other hand, perhaps law enforcement would have acted, or perhaps a family member would have gotten involved and gotten Jamie the help he needed. It is not our job to speculate what ultimately would have happened, the Statute is clear that she had a duty to report.

#### **IV. Morbid Obesity As Abuse**

I am not naïve in that I recognize as a society that it is difficult for a lot of people to think of morbid obesity as abuse. While I doubt this Board is interested in my hypotheses, I think we as a society are reluctant to call out in animals what is an epidemic in humans. I also suspect that it is difficult to tell an Owner that his/her dog is obese when the Owner has a weight problem. I also suspect that it is even further complicated when the vet is obese. I'm not saying that any of these specific factors were necessarily present in Jamie's case; however, the impacts of morbid obesity are none the less abuse.

#### **V. Patients of Dr. Brown**

Dr. Brown advertises that she has a mobile veterinary clinic that advertises that it serves the West Valley. I would imagine that a large part of her clientele are older people in Sun City (which would make a mobile vet more attractive if they are not able to drive, etc.). I think we likely can all agree that the elderly are more likely to have morbidly obese pets. The fact that this is a mobile clinic that does not see patients out in the open, I believe it is more likely this situation will occur again (or is occurring) because there are not other people in the waiting area or a large staff that sees the abuse. Many times abusers hide in the shadows, and a mobile clinic helps allow abusers to continue to hide in the shadows when the abuse is not reported.

#### **VI. Dr. Brown's false advertisement**

While it may not have a direct implication on the underlying abuse Jamie suffered, I think it should be noted that on Dr. Brown's website she believes she does this work as a result of a higher calling, so she is effectively holding herself out to a higher standard.

Her website states in part as follows: "...As the years passed, her passion for veterinary medicine continued to grow and it still does to this day. God has blessed her with a sixth sense when it comes to animals. This is the mission field she has been called to serve in ..... taking care of God's creatures and helping the people that take care of them..." I've also enclosed this portion of her website as an Exhibit. Obviously, it is fine for Dr. Brown to believe in God, and I suppose it is fine for her to believe she has been blessed with a sixth sense when it comes to animals. However, those statements a sixth sense can never be verified. Veterinary medicine is a science and she is advertising that she literally has a sixth sense from God when it comes to animals. This fact, coupled with the fact that she is serving elderly clients is being done in a way that causes deception. Obviously, any time you are in a professional business that relies on recruiting Clients it is good marketing to put things about yourself on your website to hopefully relate to Clients, which would maybe make the Client like you, or more inclined to use your services. There is a big difference between putting on your website that you are religious and

claiming to have a sixth sense when it comes to animals. Obviously Dr. Brown can never prove that she has this sixth sense. However, I don't think it is necessary for her to prove that she has a sixth sense because if she does, it does not seem to be working as I've enclosed a picture of Jamie a few weeks after seeing Dr. Brown. If this is an example of her sixth sense when it comes to 'caring for God's creatures' then I think there is a disconnect.

#### **VII. Jameson today**

Jameson has had two TPLO procedures on his knees, and his paws and neck have healed. He has recovered great from the surgery and he walked a 5k on Christmas Eve and New Year's Day. Jamie is at a healthy weight and he is actively looking for a forever home. However, this has been a long road and for months Jamie could not even walk.

#### **VIII. Conclusion**

Ultimately, my goal in submitting this is simply to prevent similar cases from occurring. I do think some type of action against Dr. Brown (even if it is just some letter of reprimand and perhaps some type of audit of her files to make sure there are not other cases of morbid obesity) will go a long way for vets to understand their legal duty to report neglect cases, and that cases of morbid obesity that have corresponding health issues are abuse. It is not my intent to disrupt Dr. Brown's livelihood, but it is my intent prevent other dogs from suffering the same way Jamie did.

I am enclosing as Exhibits a portion of Dr. Brown's website and photographs of Jamie.

4/4/2021

Re: Case Number 21-111

Narrative account from Dr Monica Brown Re: Renny Hansen

I have included a printed copy of the complete medical record for Renny Hansen. Below I have listed dates and additional info that may not have specifically recorded in the MR but was thoroughly discussed with owner.

**3/26/2018** My first appointment with Renny Hansen was on 3/26/2018. **Notes from my appointment calendar say:** Nancy Hansen, Renny, M/N, Beagle, 16 months, rescue, tan & white, Exam and Vax. When I first visited Renny at Mrs Hansen's apartment, he was about 12-14 lbs overweight. I am not sure how long she had owned him at this point in time, but my recollection is that she had just adopted him from a Rescue within the past 1-2 months. I do not have copies of his previous records. Mrs Hansen and Renny live on the 5<sup>th</sup> floor of an Independent Living Community called the Beatitudes. The Beatitudes is a low income independent living facility. Renny was a happy boy even though the apt was very small. He was able to jump up on the couch and onto her bed. She said that she had people that came and walked him daily for her. Sometimes her daughter would come and help her with him. She was a sedentary person and was not able to walk him herself from what I could see. Handwritten notes on my check-in sheet read as follows: Color: Red & White instead of tan & white, corrected DOB to 11/4/2016, MC [REDACTED] Previous records which I reviewed showed last DHPP given 2/10/17 1 yr, RV 2/10/17 1 yr and RV 1/13/18 3 yr, BV 1/13/18. He weighed 54 lbs and I discussed with owner a healthy weight would be 40-42 lbs. Even though the owner said the Renny was a purebred Beagle, he looked to me like he might have had some Bassett Hound in him. Diet: Natural Balance Chicken and Sweet Potato and some table food.

**10/19/2018** It was 7 months before I saw him again and he had gained 21 lbs. (ave of 3 lbs/mo) I had a very long discussion with her about his weight gain and the medical problems that weight gain leads to. I looked at every bag of food, treats, and estimated caloric content of people food being fed to him to show her how many calories she was feeding him vs how many calories he needed to eat to be able to lose weight. She said she would be better about not feeding him so many treats and people food. Handwritten notes on my check-in sheet read as follows: Diet was Natural Balance Beef 2 c/day 325 calories/cup, hamburger, ice cream – 2 scoops 150 calories/1/2 cup. Calculated Caloric Intake at ~1100 calories. For a Goal weight of 40 lbs needs to feed 616 calories for weight loss, 862 for weight mntn once he has achieved a healthy weight. Explained that just the 2 cups of food is sufficient and that all the extra people food and treats is unnecessary and is contributing to his weight gain. Can give green beans as a treat. Owner said she only feeds him very small amounts of people food and she doesn't think that this is what is causing his weight gain.

1/15/2019 Appt for recheck bloodwork – rescheduled to 1/25/2019 by owner.

1/25/2019 Appt rescheduled to 2/1/2019

2/1/2019 The next visit was 4 months later and Renny had gained 10 lbs. (ave of 2.5 lbs/mo) Repeated conversation about weight gain and his health and that she needed to stop feeding him all the extras. She really didn't believe she was feeding him that much. I suggested she call a mobile exercise service that has a van with treadmills that could come to her and they would exercise Renny for her. She seemed interested in this but never pursued – probably due to cost.



She was always worried about cost. Handwritten notes on my check-in sheet read as follows:  
Added mailing address which is different from home address to mail meds to.

2/4/2019 Sent MR to Dr Eberhardt for internal med consult due to changes in bloodwork. Owner never scheduled.

4/1/2019 Appt for Bordetella Vaccine, recheck weight and discuss thyroid – rescheduled

4/19/2019 Owner rescheduled appt

4/25/2019 Owner rescheduled appt

5/2/2019 Owner rescheduled appt

5/9/2019 Owner rescheduled appt

5/16/2019 Owner rescheduled appt

5/23/2019 Owner rescheduled appt

5/30/2019 The next visit was 3.5 months later and Renny had gained 7 lbs. (ave of 2 lbs/mo). Again, my tech and I went over everything she was feeding and offered to recheck thyroid bloodwork since it was low normal last time. She declined bloodwork but wanted to do a trial with the thyroid meds which I agreed to and told her that we absolutely had to recheck his bloodwork in 1 month. She agreed. She only gave the thyroid meds for 1-2 weeks because she said they were making him restless and he was panting excessively. Handwritten notes on my check-in sheet read as follows: Goes after paws when stressed per O. Sometimes tender in belly when touched per O.

8/8/2019 Appt for Recheck BW – owner cancelled appt and said she stopped thyro-tabs because was causing side effects – panting heavily, restless.

10/4/2019 Appt for ear infection and possible AGE – scooting - Owner rescheduled appt

10/10/2019 Owner rescheduled appt

10/17/2019 Owner rescheduled appt

1/11/2020 Officer Julie Bolchalk called concerning Renny. Explained to me that a neighbor had called in anonymously about Renny. She stated that the Humane Society does not normally get involved with any type of obesity cases because this does not fall under their definition of animal abuse. She said it would be best for Mrs Hansen to have me reexamine Renny and do whatever testing I thought would be necessary to try to identify any other factors contributing to his obesity other than diet. She did ask me to email Renny's records to her. Emailed records to [jbolchalk@azhumane.org](mailto:jbolchalk@azhumane.org)

1/15/2020 The next visit was 7.5 months later and Renny had gained 10 lbs. (ave 1.3 lbs/mo) This was the last time I saw Renny. During this exam, I noted that Renny was having difficulty walking, getting up and down, and that his nails were overgrown and starting to grow into the paw pads. There was redness between his toes from licking due to his allergies. There was no evidence of infection on his feet at this time or a specific limb lameness. He did have an ear infection which was treated. I Rx'd Miconahex Triz Wipes for her to use on his feet. I also refilled the Apoquel. Renny was drinking a lot of water and we submitted bloodwork to rule-out cushings, hypothyroidism, other causes for PU/PD and weight gain. Consulted with Dr Eberhardt once I received the BW results. There were some abnormalities in Renny's BW but nothing that would

explain the weight gain. According to the owner he was still able to walk up the steps to get on her bed. Renny usually did not have a collar on during visits because I would have to put a leash on him in order to get him to hold still for the exams and to weigh him.

1/17/2020 Spoke with Officer Mark Smith and he stated that after reviewing the case, he and fellow officers feel it is in the best interest of Renny that he be removed from his current environment. Emailed record to [msmith@azhumane.org](mailto:msmith@azhumane.org) Officer Mark Smith (no longer with the Humane Society)

1/18/2020 Owner called and asked if I knew where Renny was and if there was any way she would be able to get him back. I explained that I did not know where he was and that when the HS takes a pet, the original owner usually cannot visit them or readopt them. She said that she really didn't realize that she was causing doing anything wrong. She was emotionally upset and crying during our conversation and expressed how important he was to her for emotional support.

2/28/2020 I called the Humane Society to ask about Renny. Spoke with emergency dispatch lady who contacted Officer Smith. She relayed to me that Renny went to a rescue. When I asked which one, she said they didn't know and could not find out for me.

In response to the letter that Ms McManis and Mr Schatz submitted:

The Beagle that they renamed Jameson/Jamie (formerly known as Remmy) per her letter, is actually Renny.

They state that they started fostering Renny in January 2020 and that "he could only walk a few steps before he would fall over". I had seen him on January 15, 2020 and he was not falling over and was not overtly limping. There is a video posted January 24, 2020 showing Renny walking in a house and not falling over. Here is the link to that video.

[https://www.azfamily.com/news/features/phoenix-family-helps-another-obese-beagle-go-on-doggie-diet/article\\_867f2c50-3f34-11ea-a7a6-4322f54bfbdb6.html](https://www.azfamily.com/news/features/phoenix-family-helps-another-obese-beagle-go-on-doggie-diet/article_867f2c50-3f34-11ea-a7a6-4322f54bfbdb6.html)

They state that I saw Renny 6 times, but I only saw him 5 times over 22 months.

Ms McManis states that in accordance with the suggestion on the AZVMEB website, "I tried to resolve this with Dr Brown first". Ms McManis never reached out to me by phone or email. She sent me a message thru the FB messenger app which I rarely even check. I believe this was sometime in March or April 2020. She let me know that she was fostering Jameson and he was starting to lose some weight. I replied that I was glad to hear he was with a foster family. She then asked why I had not reported Mrs Hansen for animal abuse to the Humane Society. I thought about responding to her and saying that the reason I did not report Mrs Hansen, is because obesity is not considered animal abuse and is not a reportable offense. Instead, I chose not to respond to her because I believed that no matter what answer I offered, she would not have accepted it and would have continued to make accusations. She messaged me again thru FB messenger the end of December 2020. I do not recall her exact words, but basically said that I was obligated as a veterinarian to report animal abuse and that Renny's obesity was indeed abuse and she wanted to know why I didn't report it. I did not reply to her for the same reasons. I then blocked her on messenger. I have never heard of or met Ms McManis and was not FB friends with her. I did call the Humane Society that day (12/29/2020) and asked to speak to Officer Mark Smith. The operator said he wasn't available and asked how they could help. I explained the situation with Renny and that the Rescue's foster family was harassing me thru

messenger. The operator told me that obesity is not a reportable offense and not to worry about it. I suggested that they look into the rescue and the foster family, because it is not appropriate for this person to have my personal information and be harassing me. She said they would look into it. I never heard anything back from them. I do not agree with AZ Beagle Rescue giving the entire medical record to a foster family. If the Rescue wants me to forward the medical record to their veterinarian, I would be happy to do this.

Ms McManis states that "Jamie's paws were very badly infected and his neck was rubbed raw from his collar" and he "limped badly on one leg". I do not know what conditions Renny was kept in after the Humane Society took possession of him. I know that these things were not present at the time of my last exam.

The statute that McManis refers to 32-2239 does not state that obesity is considered animal abuse and I am very familiar with this statute and the obligation that the veterinary profession has. I have reported an animal abuse case in the past and officers came to the clinic I was working at, at the time. They did nothing. The district attorney did nothing. That was a puppy that had been clearly kicked in the head and had blood coming from its ears. The young man even admitted to the abuse. This did not cause me to lose faith in the system. I consider myself an honest and ethical person/veterinarian and I am well respected in the veterinary community. I have worked in numerous clinics and emergency hospitals over the past 30+ yrs, have had colleagues that worked in Animal Control, and have never read, heard or been told that obesity is a reportable offense. I have reviewed and attached Title 13 Chapter 29 of the Criminal Code of the AZ Revised Statutes that defines cruelty to animal. Mrs Hansen has not committed any of these offenses and if she had, the Humane Society would have charged her. As far as I know, they did not.

Ms McManis states that her and her husband are lawyers licensed in AZ. She states that she is "well aware of Arizona's standards for animal cruelty.....and of a veterinarian's mandatory duty to report ... etc.". Did she ever call the Humane Society or the AZVMEB to get a clear definition of what constitutes animal abuse/cruelty? I think probably not or I would not have to be writing this letter. I take offense to her statement that I would not report animal abuse because it would affect me negatively financially. I am not the kind of vet that recommends, prescribes, treats pets to increase my bottom line! I do what is in the best interest of the patient after discussing options with my clients. If anything, I am guilty of not charging enough for my services as a house call vet.

Ms McManis states "I don't believe any good faith effort was made.....etc". The fact that Renny was gaining less lbs/mo as time went on, might suggest that she actually had been cutting back, though not enough to actually cause weight loss. She did change him to Natural Balance Fat Dogs diet at one point but states he would not eat it. So, I do believe she thought she was trying.

Ms McManis states, "If Dr Brown had just reported the case....perhaps nothing would have happened, but she would have met her legal obligation". So, this seems to imply that she cares more about the letter of the law than she does about Renny.

Section IV of the letter is a personal insult to both Mrs Hansen and myself. To say that we are obese, when she doesn't even know us, and imply that this would influence my medical advice to a client, is also offensive and absolutely not true.

Section V of the letter: Even though my practice is based in the West Valley, a large part of my clientele are not old people in Sun City with morbidly obese pets! I have clients from college age into their 90's. I have patients that are 5 weeks old to 25 yrs old. Obesity in pets is not linked to

the age of a client as Ms McManis infers. My clients do not use me because they are trying to hide something, or think I would not report them, they use me because I am a great vet, understanding, compassionate, and was highly referred by another client or another vet clinic.

Section VI of the letter: The information that she refers to from my website was actually written by a colleague. Although I do believe that God has given me gifts to serve in this field, I am not "effectively holding myself out to a higher standard". I am giving credit where credit is due. I hold myself to a higher standard because I want to be the best veterinarian I can be. She states that "Veterinary medicine is a science". We, as veterinarians, know and were taught that medicine is science and art combined. In no way am I causing deception to my clients. I do not rely on recruiting clients from my website. Most people can't even find my website unless that know the name of my practice and they would only know this if someone told them. 98% of my clients are by referral as mentioned above.

Section VIII of the letter: This paragraph says to me that she wants to make an example out of me and set a precedence that all vets should report clients that have obese pets. She has made her own legal interpretation that morbid obesity is abuse.

I recognize that obesity is a disease and a client behavioral problem. I have tried to the best of my ability to educate and help this owner understand what was causing Renny to gain weight and gave her tools and information to try to help. I do not feel that I have broken any law or have acted in an unprofessional or dishonorable way. The entire veterinary community struggles with clients that have obese pets that won't follow their advice. Greater than 50% of pets are overweight or obese (BCS 6-9) according to recent surveys. Are we to report all these clients? At what point does a pet become morbidly obese? No one has defined this and what one vet or person calls morbidly obese another would not.

She also says it is not her intent to disrupt my livelihood. She does not seem to be in touch with how emotionally demanding this profession is and the high rate of suicide. Just receiving this complaint and reading her letter has caused me emotional stress, loss of sleep, and increased depression. It's people like this that push us over the edge!

Also included are:

Statements from Alicia Paquette and Karen Ramsey that are/were technicians that worked with me and was present during Renny's visits.

Copies of original check In sheets

Copy of Title 13 Criminal Code. Chapter 29

Jennifer is Mrs Hansen's daughter \_\_\_\_\_

Karen Ramsey \_\_\_\_\_

Alicia Paquette \_\_\_\_\_



Monica Brown, DVM

**DOUGLAS A. DUCEY**  
- GOVERNOR -



**VICTORIA WHITMORE**  
- EXECUTIVE DIRECTOR -

## **ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD**

1740 W. ADAMS STREET, STE. 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1-PET (1738) • FAX (602) 364-1039

VETBOARD.AZ.GOV

### **INVESTIGATIVE COMMITTEE REPORT**

**TO:** Arizona State Veterinary Medical Examining Board

**FROM:** AM Investigative Committee: Robert Kritsberg, DVM - Chair  
Christina Tran, DVM  
Carolyn Ratajack  
Jarrod Butler, DVM  
Steven Seiler

**STAFF PRESENT:** Tracy A. Riendeau, CVT – Investigations  
Marc Harris, Assistant Attorney General

**RE:** Case: 21-111

Complainant(s): Erin McManis/Chad Schatz

Respondent(s): Monica Brown, DVM (License: 3314)

#### **SUMMARY:**

Complaint Received at Board Office: 3/22/21

Committee Discussion: 9/14/21

Board IIR: 10/20/21

#### **APPLICABLE STATUTES AND RULES:**

Laws as Amended August 2018

(Lime Green); Rules as Revised September 2013 (Yellow).

In January 2020, Complainants began fostering "Jameson (previously known as Renny)," a 4-year-old male Beagle. At the time, the dog weighed approximately 100 pounds; in one year, Complainants were able to get the dog to a more ideal weight of 44 pounds.

Complainants expressed concern that while the dog was under Respondent's care, she did not report the pet owner for suspected abuse or neglect due to the dog's obesity.

**Complainant was noticed and appeared.**

**Respondent was noticed and appeared.**

**The Committee reviewed medical records, testimony, and other documentation as described below:**

- Complainant(s) narrative: *Erin McManis/Chad Schatz*
- Respondent(s) narrative/medical record: *Monica Brown, DVM*
- Consulting Veterinarian(s) narrative/medical Record: *Canyon Animal Hospital; and Laveen Veterinary Center.*

**PROPOSED 'FINDINGS of FACT':**

1. In January 2020, Complainants report that they began to foster the dog through a Beagle rescue group. When the dog came to Complainants, the dog weighed 100 pounds. In the year Complainants fostered the dog, they were successful in getting the dog's weight down to 44 pounds. Complainant's expressed concern that Respondent's conduct was unprofessional for not reporting the pet owner for abuse/neglect due to the dog's obesity. Complainants believed the dog suffered as a result of his obesity – he could barely walk, could not stand to go to the bathroom and would be found sitting in his own urine, and underwent two TPLO surgeries. At the end of the fostering term with Complainants, the dog had participated in 5K walks.

2. News article with video regarding the dog's condition:

<https://www.azfamily.com/news/features/phoenix-family-helps-another-obese-beagle-go-on-doggie-diet/article/%20867f2c50-3f34-11ea-a7a6-4322f54bfbd6.html>

3. On March 26, 2018, Respondent examined the dog for the first time – the dog weighed 54 pounds. Respondent educated the pet owner with respect to cutting back on feeding the dog table scraps and purchasing a Gentle Leader so the pet owner could increase exercise to encourage weight loss.

4. On October 19, 2018, Respondent examined the dog again. The dog had a weight = 75 pounds. The pet owner had reported that the dog gets table scraps, including hamburger and ice cream. Respondent went over weight loss recommendations – the dog should get 600 calories to lose weight; the dog was currently getting 1100 – 1300 calories. Respondent explained that the weight loss goal was 40 pounds and recommended cutting out all extra food being feed throughout the day but green beans or carrots could be offered. The pet owner was in denial that the dog was getting enough treats to cause the dog's weight gain. Blood work was also recommended to check the dog's thyroid and feeding a prescription weight loss diet. The dog's thyroid was within the normal range.

5. On February 1, 2019, Respondent evaluated the dog and repeated blood work. The dog had a weight = 85 pounds. The pet owner reported to Respondent that she had been good with the dog's diet and was not overfeeding; however, table scraps and treats were not cut back. The dog was getting Natural Balance Dry – 2 cups; hamburger; green beans; ice cream nightly; biscuit nightly; marrow bones for treats; and other commercial dog treats.

6. The pet owner further stated that the dog does not have a lot of and energy and sleeps a lot. The dog was also limping on the left front leg for approximately one week and chews on his paws, especially on the left front paw. The dog was currently on Benadryl.

7. After exam, Respondent's differential diagnosis was obese, otitis externa, and allergies. Blood was collected and Otipak for the ears and Apoquel were prescribed. Respondent stressed that the dog could no longer handle being fed treats and recommended only feeding dog food only. She suggested calling a mobile exercise service that has a van with treadmills that could go to the pet owner to exercise the dog.

8. Due to the blood results, Respondent recommended further testing for Valley Fever and Tick Fever. The pet owner approved. Those tests came back negative therefore Respondent recommended an ultrasound and chest radiographs. The pet owner stated that she would think about it.

9. The pet owner kept rescheduling appointments with Respondent therefore the dog was not seen again until May 30, 2019.

10. On May 30, 2019, Respondent examined the dog and found a weight = 92 pounds. Respondent and her staff again went over what the pet owner was feeding the dog. Although the pet owner was feeding the dog his dry dog food, green beans, ice cream daily, two dog biscuits, pill pockets, cottage cheese sometimes, and eggs and bacon sometimes, she advised she was feeding him less, and did not know why he was gaining weight. Respondent offered to recheck the dog's thyroid even though it was normal last time. The pet owner declined blood work but requested starting the dog on thyroid medication. Respondent agreed and explained that the thyroid must be rechecked in one month – also if there were any symptoms that the dog was not tolerating the medication, she needed to call Respondent immediately.

11. Respondent stated that the pet owner only gave the dog thyroid medication for 1 – 2 weeks due to causing side effects of restlessness and panting.

12. The pet owner made several appointments with Respondent but repeatedly cancelled and rescheduled.

13. On January 11, 2020, Respondent received a call from an officer at the humane society. She was advised that a neighbor had called in an anonymous report about the dog. The officer told Respondent that they normally do not get involved with any type of obesity cases because it does not fall under their definition of animal abuse. She felt it would be best if Respondent examined the dog and do whatever testing necessary to try to identify any other factors contributing to the dog's obesity other than diet. Respondent emailed the dog's medical records to the officer per her request.

14. On January 15, 2020, Respondent examined the dog for a wellness check. The dog had a weight = 102 pounds. Respondent discussed with the pet owner the risks of obesity and the necessity to lose weight, both that day and the previous exams. The pet owner reported that the retirement facility she resides in sends someone to walk the dog once a day for 30 minutes; additionally the pet owner's daughter came by twice a week to walk the dog. She further explained that during the last year the dog was drinking and urinating more, but had not mentioned it to Respondent. The pet owner tried to switch the dog over to Natural Balance but the dog would not eat it and she continued to give the dog treats and human food. The dog had been shaking his head, scooting, and using pee pads either in her living room or on the balcony to urinate on.

15. At this visit, Respondent noted that the dog was having difficulty walking, getting up and

down, and the nails were overgrown and starting to grow into the pads. There was redness between the toes from licking due to allergies. There was no evidence of infection at that time or specific limb lameness. The dog did have an ear infection which was treated. Respondent prescribed Miconahex Triz wipes for the pet owner to use on the dog's feet – Apoquel was also refilled. Due to the reports of the dog having increased water intake, blood work was submitted to rule-out Cushing's, hypothyroidism, and other causes for PU/PD and weight gain. Respondent also consulted with Dr. Eberhardt as there were some changes in the blood work but nothing to explain the weight gain.

16. On January 17, 2020, Respondent spoke with another officer at the Humane Society who advised that after reviewing the case, he and fellow officers felt it was in the best interest of the dog that they remove the dog from the current environment. Respondent emailed records to the officer.

17. On January 18, 2020, the pet owner called Respondent to ask if she knew where the dog was taken and if she would be able to get him back. She stated that she did not realize that she was causing the dog harm or doing anything wrong; she was crying and relayed the dog was her emotional support dog. Respondent explained that she did not know where the dog was and explained that it was unlikely that she would be able to get the dog returned to her.

18. Respondent stated that she tried to the best of her ability to educate and help the pet owner understand what was causing the dog to gain weight.

### **COMMITTEE DISCUSSION:**

The Committee discussed that morbid obesity might, in some cases, be considered a form of abuse whether a person or animal. There is nothing in the statutes that describes obesity as a form of abuse. Even the Humane Society officers, according to Respondent, agreed that obesity is a non-reportable offense. The Committee did not feel they could hold Respondent to a different standard and find her in violation for not reporting the pet owner for animal abuse due to the dog's obesity.

There were efforts made by Respondent to educate the pet owner of the dog's weight gain and how to mitigate it. The Committee understood Complainant's concerns; however, there is nothing in the law that states obesity is animal abuse at this time.

### **COMMITTEE'S PROPOSED CONCLUSIONS of LAW:**

The Committee concluded that no violations of the Veterinary Practice Act occurred.

### **COMMITTEE'S RECOMMENDED DISPOSITION:**

**Motion:** It was moved and seconded the Board:

Dismiss this issue with no violation.



**Vote:** The motion was approved with a vote of 5 to 0.

*The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.*

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Tracy A. Riendeau, CVT  
Investigative Division